

REMARKS

The pending claims within this reissue application are 1-43. No Claims have been amended, cancelled, or added.

The Office has rejected Claims 1-43 under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Moriwaki et al. Applicant (Assignee) respectfully traverses such a basis of rejection as untenable for the simple reason that patentee does not disclose nor fairly suggest an airbag fabric of the same low permeability characteristics as now claimed. This fact is particularly presented within the accompanying Declaration of inventor Ramesh Keshavaraj under 37 C.F.R. § 1.132, wherein he tested the air permeability at 124 Pa of an embodiment of patentees' claimed invention at a cover factor that met the current claim limitations. The results therefrom show that Moriwaki et al.'s fabrics do not provide the same low air permeability as now claimed (at best, the low cover factor fabric exhibited 0.645 cfm at 124 Pa, well above the maximum level of 0.5 cfm as now claimed).

In essence, as previously discussed, Moriwaki et al. are concerned with providing a lower construction, and thus less expensive, fabric ultimately for airbag utilization that exhibits similar properties to woven fabrics of higher construction (e.g., higher cover factor). Patentees accomplish this through the application of their extremely low level coatings. There is no indication that such fabrics exhibit low air permeability to the level now claimed. To the contrary, patentees' fabrics are coated to permit the production of a lower construction (cover factor) fabric that exhibits similar properties to more expensive higher construction types (but that exhibit relatively high air permeability as compared with the currently claimed fabrics).

Furthermore, there is no suggestion to increase the coating levels within Moriwaki et al. above a 10 micron level. As such, there is no way suggested by patentees to provide sufficient motivation the ordinarily skilled artisan to modify the teachings of Moriwaki et al. to meet the instant claim limitations in terms of sufficiently low air permeability. The ordinarily skilled artisan would have understood the purpose behind Moriwaki et al.'s teachings, namely, as noted above, to provide a lower construction, less expensive airbag fabric, that exhibits similar properties to uncoated higher construction, more expensive, airbag fabrics. No motivation is provided within this patent to reduce the air permeability through thicker coatings to the level now claimed at a cover factor meeting the current limitations. Moriwaki et al. actually want as thin a coating as possible to provide, as noted above, a lower construction fabric providing similar properties to higher construction types. No indication or insinuation as to ability to improve air permeability is provided by patentees, at least to the extent required within the present claims as shown by the accompanying Rule 132 Declaration by Keshavaraj. Reconsideration and withdrawal of the applied rejections are therefore earnestly solicited.

CONCLUSION

In view of all of the previous amendments and arguments, it is respectfully submitted that the pending claims are in condition for allowance and it is requested that this application be passed on to issue.

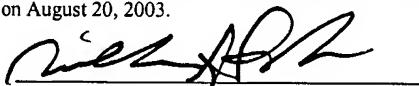
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Respectfully submitted

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as in an envelope addressed to Mail Stop Non-Fee Amendment, The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 20, 2003.



William S. Parks, Attorney for Assignee